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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/075,709	02/14/2002	Paul Aimone	06160-1P66

26486  
PERKINS, SMITH & COHEN LLP  
ONE BEACON STREET  
30TH FLOOR  
BOSTON, MA 02108

CONFIRMATION NO. 8380

FORMALITIES LETTER



\*OC000000007618772\*

Date Mailed: 03/12/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

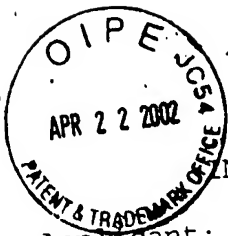
PART 1 - ATTORNEY/APPLICANT COPY

04/23/2002 SDEMB0B1 00000078 10075709

01 FC:105

130.00 OP

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Applicant: Paul Aimone, et al. Confirmation No.: 8380  
Serial No.: 10/075,709 Group Art Unit: 1753  
Filed: February 14, 2002  
Title: REJUVENATION OF REFRACTORY METAL PRODUCTS

I hereby certify that this correspondence is being deposited with the United States Postal Service as FIRST CLASS MAIL in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, DC 20231, on:

April 11, 2002  
Date of mailing

Signature

Peter J. Borghetti  
Printed or typed name of sender

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION

BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Sirs:

Transmitted herewith for the above-identified application are the following:

1. Missing Parts Transmittal Form;
2. Fee transmittal;
3. Copy of Notice to File Missing Parts of Nonprovisional Application;
4. Executed Declaration (37 CFR 1.63) For Utility or Design Application Using an Application Data Sheet (37 CFR 1.76);
5. Five (5) Executed Power of Attorney forms;
6. Check for \$130.00 (surcharge based on large entity status);

and

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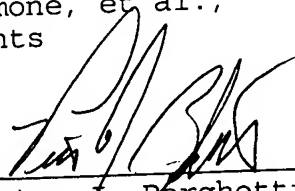
7. Return receipt post card.

The Commissioner for Patents is hereby authorized to charge any deficiencies to or credit any overpayment to Deposit Account No. 03-2410, Order No. 06160-1P66.

Respectfully submitted,

Paul Aimone, et al.,  
Applicants

By:

  
Peter J. Borghetti  
Reg. No. 42,345  
Attorney for Applicants

Perkins, Smith & Cohen  
One Beacon Street  
Boston, MA 02108-3106  
(617) 854-4000

Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002. OMB 0651-0031  
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PTO/SB/21 (08-00)

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/075,709
Filing Date	February 14, 2002
First Named Inventor	Paul Aimone
Group Art Unit	1753
Confirmation No.	8380
Attorney Docket Number	06160-1P66

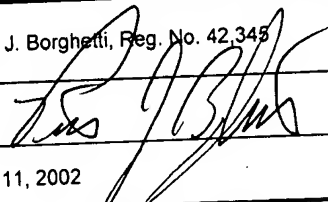
Total Number of Pages in This Submission

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> five (5) Power of Attorney or Authorization of Agent forms <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Copy of Notice to File Missing Parts of Nonpatent Application Filed Under 37 CFR 1.35(b); Executed Declaration; and return receipt postcard.</b>
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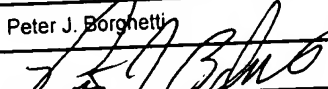
Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Peter J. Borghetti, Reg. No. 42,345
Signature	
Date	April 11, 2002

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on this date: April 11, 2002

Typed or printed name	Peter J. Borghetti	Date	April 11, 2002
Signature			

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# **COPIE FREE TRANSMITTAL** **for FY 2002**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$) 130.00

## **Complete if Known**

Application Number 10/075,709  
Filing Date February 14, 2002  
First Named Inventor Paul Aimone  
Confirmation No. 8380  
Group / Art Unit 1753  
Attorney Docket No. 06160-1P66

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## **METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge deficiencies only and credit any over payments to:

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03-2410 (Order No. 06160-1P66)

Deposit  
Account  
Name

Perkins, Smith & Cohen, LLP

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money  
Order ☐ Other

## **FEE CALCULATION**

### **1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

**SUBTOTAL (1)**

(\$ 0)

### **2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
-20	= 0	X	= 0
Independent Claims			
-3	= 0	X	= 0
Multiple Dependent			
	X		

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$ 0)

\*\*or number previously paid, if greater. For Reissues, see above

## **FEE CALCULATION (continued)**

Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	\$130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>rex parte</i> examination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$130.00)

## **SUBMITTED BY**

Name (Print/Type) Peter J. Borghetti Registration No. Attorney/Agent 42,345 Telephone (617) 854-4000  
Signature Date April 11, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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